

**Iowa Department of Natural Resources
Natural Resource Commission**

ITEM

14

DECISION

TOPIC

**Adopted and Filed--Chapter 40, Boating Speed & Distance Zoning,
Burlington**

The Commission is requested to amend Chapter 40, "Speed & Distance Zoning," Iowa Administrative Code. This amendment is being requested by the City of Burlington for the creation of a no-wake zone on two locations on the Mississippi River within the City of Burlington. The areas being proposed are part of an historic riverfront and also contain two municipal boat ramps and public dock areas. The City of Burlington is requesting this amendment to help ensure the aesthetics of the historic frontage as well as the safety of the public who use the docks and boat ramp for water recreation purposes. No comments were received at the public hearings or during the comment period. Minor changes were made to the Notice of Intended Action, as requested by the City of Burlington, to reduce the size/area of the originally proposed no-wake zone.

Kenneth Herring, Administrator
Conservation and Recreation Division
April 10, 2008

Attachment: Final Chapter 40: Boating Speed and Distance Zoning, Burlington

NATURAL RESOURCES COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 455A.5(6), the Natural Resource Commission adopts amendment to Chapter 40 “Boating Speed and Distance Zoning,” Iowa Administrative Code.

This amendment is requested by the City of Burlington in Des Moines County. This amendment establishes two no-wake zones on the Mississippi River at the City of Burlington. Regulatory buoys will be placed in such a way as to define a no-wake zone designated at each of the two city dock/boat ramp locations. One zone at the north city dock/boat ramp and one zone at the south dock/boat ramp. The marker buoys will be placed no farther than 150 feet from the shoreline with each zone extending no more than 750 feet in width. Changes from the Notice of Intended Action were made based upon a request from the City of Burlington to reduce the size of the originally proposed zoned area and create two smaller zones one for each boat ramp site.

Notice of Intended Action was published in the Iowa Administrative Bulletin on February 13, 2008, as ARC6597B. Public hearing was held at the Wallace State Office Building on March 5, 2008, and public hearing held locally by the City of Burlington on February 19, 2008. No written or oral comments were received at the hearings or during the comment period. There are changes to the Notice of Intended action as requested by the City of Burlington. These changes have been included in this final rule.

This amendment is intended to implement section 456A.25 of the Code of Iowa.

The following amendment will become effective June 11, 2008.

Amend 571—Chapter 40 by adopting the following new rule:

571--40.56(462A) Zoning of Mississippi River, Des Moines County, city of Burlington.

All vessels shall be operated at a no-wake speed within the two zoned areas designated by marker buoys or other approved uniform waterway markers. The two zoned areas include the north and south city dock/boat ramp locations, and each zone shall extend no farther than 150 feet from shore and be no wider than 750 feet. The City of Burlington shall designate the no-wake zones with buoys approved by the natural resource commission.

Date

Richard A. Leopold, Director